

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.: 2004\_0540A

First Named Inventor : Toshiyasu TANAKA et al.

Title: DIFFRACTION ELEMENT, OPTICAL HEAD DEVICE INCLUDING THE DIFFRACTION ELEMENT, OPTICAL INFORMATION APPARATUS INCLUDING THE OPTICAL HEAD DEVICE, SYSTEM INCLUDING THE OPTICAL INFORMATION APPARATUS AND METHOD OF DESIGNING DIFFRACTION GRATING OF THE DIFFRACTION ELEMENT

Express Mail Label No:

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Small Entity Status is hereby asserted.
3. ☒ Specification [Total Pages: 48]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Sequence Listing, a table, or a computer program listing appendix.
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets: 12]
5. ☒ Oath or Declaration [Total Pages : 3]
  - a.1. ☐ Newly executed (original or copy)
  - a.2. ☒ Unexecuted
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet (see 37 CFR 1.76)

7. ☐ CD-ROM or CD-R in duplicate, large table or computer program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ The paper and computer readable copies are identical

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)  
☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449  
☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☒ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other COVER LETTER FOR APPLICATION FILED WITHOUT EXECUTED DECLARATION

## CLAIM OF PRIORITY UNDER 35 USC 119

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below, and in a preliminary amendment, or in an Application Data Sheet:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.

Prior Application Information Examiner Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference therein. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

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April 14, 2004

22387 U.S. PTO  
10/823673

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Toshiyasu TANAKA et al. :  
Serial No. NEW : **Attn: APPLICATION BRANCH**  
Filed April 14, 2004 : Attorney Docket No. 2004\_0540A

DIFFRACTION ELEMENT, OPTICAL HEAD  
DEVICE INCLUDING THE DIFFRACTION  
ELEMENT, OPTICAL INFORMATION APPARATUS  
INCLUDING THE OPTICAL HEAD DEVICE,  
SYSTEM INCLUDING THE OPTICAL  
INFORMATION APPARATUS AND METHOD OF  
DESIGNING DIFFRACTION GRATING OF THE  
DIFFRACTION ELEMENT

**PATENT OFFICE FEE TRANSMITTAL FORM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$1298.00 to cover Patent Office fees relating to filing the following attached papers:

New application ..... \$770.00

Additional Claims Fee:

Excess of Twenty ..... \$270.00

Independent ..... \$258.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Toshiyasu TANAKA et al.

By Michael S. Huppert

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[Check No. 61203]

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